

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

James KATES

Serial No.: 10/008,268

Filing Date: November 13, 2001

For: DYNAMIC RANGE COMPRESSION  
USING DIGITAL FREQUENCY  
WARPING



Confirmation No.: 2619

Examiner: Ni, Suhan

Group Art Unit: 2615

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement (IDS) are being brought to the attention of the Office. The items are listed on the attached forms PTO/SB/08A and PTO/SB/08B. The Examiner is requested to make these documents of record.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant(s) is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant(s) as such.

**1. Timing of the Information Disclosure Statement:**

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) with the new patent application submitted herein (37 CFR § 1.97(a)); or (2) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (3) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (4) before the mailing of a first Office action on the merits; or

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02 FC:1806 180.00 DA

(5) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant(s) respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant(s) respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office Action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ Charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ The fee due under 37 CFR § 1.17(p) is being concurrently submitted with the filing of an electronic IDS submission. Thus, no additional fee is required.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant(s) respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. Charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ That each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or

☐ That no item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the IDS.

## **2. Copies of the Cited Items:**

☐ Copies of all of the items listed on the attached forms PTO/SB/08A and PTO/SB/08B are enclosed.

☒ Copies of only the following items listed on the attached forms PTO/SB/08A (Item Nos. \*) and PTO/SB/08B (Item Nos. 35-37) are enclosed.

☒ Copies of all items listed on the attached form PTO/SB/08A are not enclosed. See 37 CFR 1.98(a)(2)(i).

☐ Copies of the following documents listed in PTO/SB/08A (Item Nos. \*) and PTO/SB/08B (Item Nos. \*) are not supplied as they were previously cited by the Office or submitted in Information Disclosure Statements in related applications (Application No. \*, filed \*) and relied upon in this application for an earlier filing date under 35 USC § 120. See 37 CFR § 1.98(d). The Examiner is requested to make these documents of record.

☐ Copies of the following items listed on the attached forms PTO/SB/08A (Item Nos. \*) and PTO/SB/08B (Item Nos. \*) were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

## **3. Conclusion:**

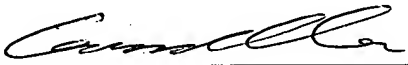
Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; and
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO/SB/08A and PTO/SB/08B with initials or other appropriate marks. In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicant(s) petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-2518**, referencing **7002452001**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: 2/2/07

By:   
Gerald Chan  
Registration No. 51,541

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Substitute for form 1449A-PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

|                        |                          |
|------------------------|--------------------------|
| Application Number     | 10/008,268               |
| Filing Date            | November 13, 2001        |
| First Named Inventor   | James KATES              |
| Art Unit               | 2615                     |
| Examiner Name          | Ni, Suhan                |
| Attorney Docket Number | 22645-7085; GN7002452001 |

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number<br>Number – Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YY | Name of Patentee or<br>Application of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages or<br>Relevant Figures Appear |
|--------------------|-----------------------|---|------------------------------|--|---|
|                    | 1                     | US-4,388,493  | 06-14-1983                   | Maisel   |   |
|                    | 2                     | US-4,488,012  | 12-11-1984                   | Matsuda et al.                                       |   |
|                    | 3                     | US-4,491,698  | 01-01-1985                   | Larson et al.  |   |
|                    | 4                     | US-4,536,623  | 08-20-1985                   | Larson   |   |
|                    | 5                     | US-4,688,002  | 08-18-1987                   | Wingate  |   |
|                    | 6                     | US-4,703,510  | 10-27-1987                   | Larson   |   |
|                    | 7                     | US-5,091,958  | 02-25-1992                   | Sakamoto et al.                                      |   |
|                    | 8                     | US-5,617,480  | 04-01-1997                   | Ballard et al.                                       |   |
|                    | 9                     | US-5,659,619  | 08-19-1997                   | Abel   |   |
|                    | 10                    | US-5,659,622  | 08-19-1997                   | Ashley   |   |
|                    | 11                    | US-5,698,807  | 12-16-1997                   | Massie et al.  |   |
|                    | 12                    | US-5,727,074  | 03-10-1998                   | Hildebrand   |   |
|                    | 13                    | US-5,781,638  | 07-14-1998                   | Hosaka et al.  |   |
|                    | 14                    | US-5,832,096  | 11-03-1998                   | Hall   |   |
|                    | 15                    | US-6,072,877  | 06-06-2000                   | Abel   |   |
|                    | 16                    | US-6,330,486 B1   | 12-11-2001                   | Padula   |   |
|                    | 17                    | US-6,522,756 B1   | 02-18-2003                   | Maisano et al.                                       |   |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> – Number <sup>4</sup> – Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YY | Name of Patentee or<br>Application of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|--|------------------------------|---|---|----------------|
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|                    |                       |  |                              |   |   |                |

Examiner's  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2.0 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 2 of 3

**Complete if Known**

|                        |                          |
|------------------------|--------------------------|
| Application Number     | 10/008,268               |
| Filing Date            | November 13, 2001        |
| First Named Inventor   | James KATES              |
| Art Unit               | 2615                     |
| Examiner Name          | Ni, Suhan                |
| Attorney Docket Number | 22645-7085; GN7002452001 |

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|--------------------|-----------------------|---|------------------------------|--|---|
|                    | 18                    | US-6,535,617 B1   | 03-18-2003                   | Hannigan et al.                                      |   |
|                    | 19                    | US-6,574,346 B1   | 06-03-2003                   | Tanaka   |   |
|                    | 20                    | US-6,628,800 B2   | 09-30-2003                   | Tajima   |   |
|                    | 21                    | US-6,664,460 B1   | 12-16-2003                   | Pennock et al.                                       |   |
|                    | 22                    | US-6,694,033 B1   | 02-17-2004                   | Rimmell et al.                                       |   |
|                    | 23                    | US-6,724,910 B1   | 04-20-2004                   | Heed et al.  |   |
|                    | 24                    | US-6,738,486 B2   | 05-18-2004                   | Kaulberg   |   |
|                    | 25                    | US-6,845,165 B1   | 01-18-2005                   | Motohashi et al.                                     |   |
|                    | 26                    | US-6,870,937 B1   | 03-22-2005                   | Hirosaki et al.                                      |   |
|                    | 27                    | US-6,873,708 B1   | 03-29-2005                   | Levy   |   |
|                    | 28                    | US-6,898,293 B2   | 05-24-2005                   | Kaulberg   |   |
|                    | 29                    | US-6,980,665 B2   | 12-27-2005                   | Kates  |   |
|                    | 30                    | US-6,996,244 B1   | 02-07-2006                   | Slaney et al.  |   |
|                    | 31                    | US-6,999,541 B1   | 02-14-2006                   | Hui  |   |
|                    | 32                    | US-7,026,539 B2   | 04-11-2006                   | Pennock et al.                                       |   |
|                    | 33                    | US-2002/0057814 A1  | 05-16-2002                   | Kaulberg   |   |
|                    | 34                    | US-2004/0165730 A1  | 08-26-2004                   | Crockett   |   |

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|                    |                       |  |                              |   |   |                |

Examiner's  
SignatureDate  
Considered

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Sheet | 3 | of | 3 |
|-------|---|----|---|

*Complete if Known*

|                               |                                 |
|-------------------------------|---------------------------------|
| <b>Application Number</b>     | <b>10/008,268</b>               |
| <b>Filing Date</b>            | <b>November 13, 2001</b>        |
| <b>First Named Inventor</b>   | <b>James KATES</b>              |
| <b>Art Unit</b>               | <b>2615</b>                     |
| <b>Examiner Name</b>          | <b>Ni, Suhan</b>                |
| <b>Attorney Docket Number</b> | <b>22645-7085; GN7002452001</b> |

## NON PATENT LITERATURE DOCUMENTS

[illegible]

**Examiner's  
Signature**

Date  
Considered

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